

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

IRA R. LEON,	)	
	)	
Petitioner,	)	8:14CV16
	)	
v.	)	
	)	
STATE OF NEBRASKA, and SCOTT	)	ORDER
FRAKES, Director of the	)	
Nebraska Department of	)	
Corrections,	)	
	)	
Respondents.	)	
_____	)	

This matter is before the Court on three motions filed by the parties. Respondents move for an order allowing them to physically file, rather than electronically file, petitioner's presentence investigation report. They argue scanning the report and filing it on the Court's electronic filing system would make pages illegible and would require the filing of 30 separate documents. The Court will deny the motion (Filing No. [25](#)) as moot. The clerk of the court has scanned and filed the presentence investigation report. The report is docketed at Filing No. 28.

Respondents move for an order restricting access to petitioner's presentence investigation report because it is a privileged document under Nebraska state law. See [Neb. Rev. Stat. § 29-2261\(6\)](#). Upon careful consideration, respondents'

motion (Filing No. [26](#)) will be granted. Only parties of record and Court users will have access to petitioner's presentence investigation report docketed at Filing No. 28.

Petitioner moves for an order extending the time in which he has to reply to respondents' reply brief. Petitioner's motion (Filing No. [29](#)) will be denied. This matter was fully submitted for decision on March 16, 2015, the date on which respondents filed and served their reply brief. (See the Court's progression order at Filing No. [9](#) at CM/ECF pp. 4-5.)

IT IS ORDERED:

1. Respondents' Motion to Except Document from Electronic Filing (Filing No. [25](#)) is denied as moot.

2. Respondents' Motion to Restrict (Filing No. [26](#)) is granted. Filing No. 28 will remain a restricted document.

3. Petitioner's Motion for Extension of Time (Filing No. [29](#)) is denied.

DATED this 15th day of April, 2015.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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